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FILED

SEPTEMBER 22, 2005

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE
SUSPENSION OR REVOCATION
OF THE LICENSE OF

ALEJANDRO PRESILLA, M.D.
LICENSE NO. MA 35461

TO PRACTICE MEDICINE AND
SURGERY IN THE STATE OF
NEW JERSEY

Administrative Action

CONSENT ORDER
OF LIMITED LICENSURE

This matter was most recently opened to the New Jersey State Board of Medical Examiners ("Board") based on a request by Respondent Alejandro Presilla ("Respondent") seeking the Board's consent to implement one of the terms of an Education Plan created by the Center for Personalized Education for Physicians ("CPEP"). Respondent was originally disciplined by the Board following an investigation of his laboratory practices and medical practice. Respondent appeared before a Preliminary Evaluation Committee of the Board in October 2003. Counsel Jeffrey Brown, Esq. and Lourdes

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Martinez, Esq. represented Respondent in all matters pertaining to the Board's investigation. Subsequently, Respondent agreed to the monitoring of his cardiac patients with coagulation issues by another cardiologist. He submitted to a focused evaluation by the Colorado Personalized Education Program ("CPEP") in December 2003, and areas requiring remediation were identified. In January 2004, Respondent withdrew his appeal of the closure of his laboratory by the Federal clinical laboratory authorities and permanently closed his laboratory.

In lieu of the initiation of a contested matter, a Consent Order was entered resolving the matter and ordering, in part, the following:

1. Respondent, Alejandro Presilla, M.D.'s, license to practice medicine was suspended effective November 26, 2004, for a period of four (4) years, the first year shall be served as a period of active suspension, the remainder of which shall be stayed and served as a period of probation.

2. Respondent must remediate any and all deficiencies identified in the CPEP evaluation performed prior to this Order. Any prior deficiencies identified by CPEP shall serve as a guide to the areas of remediation which Respondent must address and rectify. Respondent shall participate in a Board-approved focused education program ("Education Plan") developed by CPEP, and successfully complete any and all supplemental follow-up and remediation

required by such evaluation program, subject to further review of such assessment and/or remediation by the Board. After eight (8) months of active suspension, as part of Respondent's remediation, he may be issued a limited license for the sole purpose of participating in a preceptorship;

3. The specifics of the extent of his license privileges were to be determined in a step-wise manner by the Board, after consultation with the Attorney General, CPEP and Respondent's attorney, and continued his compliance with the Order.

Whereas, Phase I of the Education Plan developed by CPEP requires that Dr. Presilla be restored to limited licensure, and the parties having consented to this form of Order, and the Board finding that entry of this Order is in the public interest,

IT IS ON THIS

14th

DAY OF

Sept

, 2005,

ORDERED AS FOLLOWS:

1. Dr. Presilla shall be restored to limited licensure to practice medicine in the State of New Jersey to the extent specified by this Order. All other conditions of the November 16, 2004 Consent Order shall remain in full force and effect.

2. At all times during the implementation of Phase I of the CPEP Plan, Dr. Presilla shall work under the supervision and responsibility of the preceptors/supervisors approved by CPEP, and accepted by the Board, thus far Jose Sanchez-Pena, M.D.

3. During Part A of Phase I of the CPEP Education Plan, Dr. Presilla engaged in observation of patient encounters as specified in the CPEP Education Plan.

4. During Part B of Phase I of the CPEP Education Plan, Dr. Presilla shall engage in supervised patient encounters only in accordance with the CPEP Education Plan.

5. No part of Phase II of the CPEP Education Plan shall be implemented without further order of the Board.

6. The CPEP approved preceptors/supervisors shall warrant, under penalty of discipline from the Board of Medical Examiners, that Dr. Presilla will not practice in any way, in violation of this Order while under their supervision.

7. Each patient observed and/or treated pursuant to this Order and CPEP plan will be advised of the arrangement between Dr. Presilla and the preceptor/supervisor in accordance with HIPAA, and Dr. Presilla will not observe these patients or undertake their care without the prior consent of each patient. Each patient will be advised of the limitations placed on Dr. Presilla with regard to patient involvement in Part B of Phase I of the Education Plan.

8. All reporting of patient observations and supervised patient encounters contemplated by Phase I of the CPEP Education Plan will be carried out in accordance with that plan and will also include copying of reports to, and involvement with, the Medical

Director of the New Jersey State Board of Medical Examiners, Joseph Gluck, M.D.

9. No patient shall be charged any additional fees beyond the normal and customary charges for medical services during supervised patient encounters in implementing Part B of Phase I of the CPEP Education Plan.

10. Until further order of the Board, Dr. Presilla may not have a CDS or DEA registration.

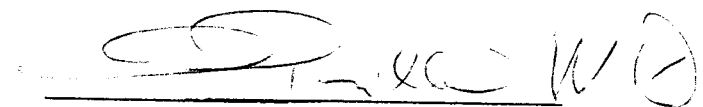
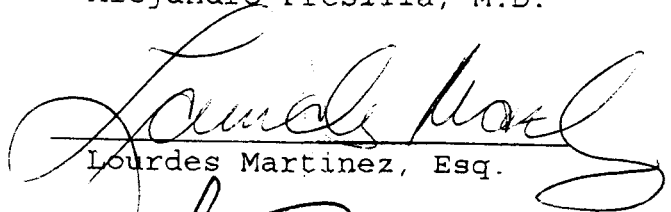
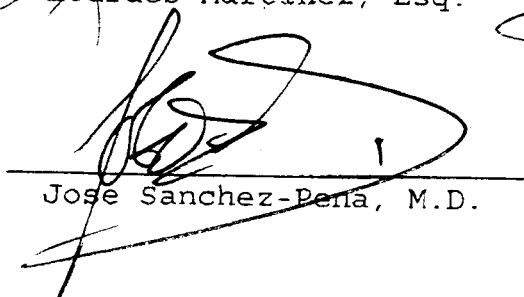
11. Before Dr. Presilla commences any activities under this Order, copies of the curricula vitae of Dr. Sanchez-Pena and any cardiologist preceptor shall be submitted to the Medical Director of the New Jersey State Board of Medical Examiners for approval of their participation as supervisors/preceptors. Such approval shall not be unreasonably withheld. Dr. Sanchez-Pena is an approved preceptor.

12. The Medical Director of the Board may, from time to time, communicate with Dr. Sanchez-Pena with regard to the activities of Dr. Sanchez-Pena and Dr. Presilla under the terms of this Order.

13. Dr. Sanchez-Pena and any other preceptor/supervisor shall execute a copy of this Consent Order of Limited Licensure and shall by so executing a copy of this Consent Order agree to be bound by and to obey each and every term and condition of this Order.

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERSBy: Bernard Robins, M.D., F.A.C.P.
President

Accepted by: _____

Kay R. Ehrenkrantz
Deputy Attorney General
Alejandro Presilla, M.D.
Lourdes Martinez, Esq.
Jose Sanchez-Pena, M.D._____
Cardiologist

**Jose Sanchez Pena MD FCCP
Jersey City, New Jersey**

**Protocol of symptoms and medical conditions for the supervision of
Alejandro Presilla MD**

Monday, August 22, 2005

Sharon Miller
Education Program Coordinator
CPEP

Dear Mrs. Sharon:

Following are the symptoms and conditions that necessitates that the Supervisor examine the patient and consult on the treatment and plan. Dr Presilla will be with me in the office at all times. Any critical problems must be consulted with me so I can provide rapid treatment to the patient condition. A note will be dictated by Dr Presilla and reviewed for quality assurance.

I will write all the prescriptions and revise the plan of treatment of all patients prior leaving the office.

This list is only a guideline. As a general rule any patient with any major symptoms or pathology must be revised and examined by me.

A- Cardiology problems:

- Chest pain
- Severe hypertension
- Signs of congestive heart failure (edema of legs, shortness of breath, constant cough, extreme fatigue, palpitations)
- Cardiac dysrhythmias (supraventricular or ventricular tachycardia, multiple atrial or ventricular ectopics)
- Abnormal cardiac testing (echocardiogram, electrocardiogram, holter monitoring, nuclear cardiology testing, cardiac catheterization).
- Congenital heart disease related problems
- Cardiac consultation of the pregnant patient.
- Cardiac consultation for medical clearance.
- Cardiac evaluation for disability patients.
- Any abnormal laboratory data including abnormal coagulation profile, lipids profile, abnormal liver testing, abnormal renal functions.
- Severe Shortness of breath
- Constant Cough
- Pacemaker analysis
- Irregular heart beat
- Wheezing
- Unstable angina
- abnormal vital signs

**Jose Sanchez Pena MD FCCP
Jersey City, New Jersey**

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**Protocol of symptoms and medical conditions for the supervision of
Alejandro Presilla MD**

B- Internal Medicine problem:

Respiratory problems:

- Any acute pneumonia, acute bronchitis, acute bronchial asthma, acute decompensated COPD.
- Sore throat with difficulty swallowing
- Wheezing

Gastroenterology problems:

- Excessive vomiting with blood, abdominal pain, and/or headache
- Excessive diarrhea with blood, abdominal pain, and/or fever
- Abdominal pain
- Headache
- Nausea
- Swollen joints
- Rash
- Excessive thirst

Neurological problems

- Loss of vision
- Eye pain
- Stiff neck
- Nosebleeds
- Extremity weakness
- Extremity loss of feeling
- Syncope
- First or prolonged seizures
- Head trauma
- Transient ischemic attack
- Central vertigo

These symptoms must be referred to the specialist.

- Venomous animal bite or sting
- Menorrhagia (we refer OBGYN problems)
- Metrorrhagia (we refer OBGYN problems)
- Fractures

Jose Sanchez Pena MD

cc: Alejandro Presilla,